



December 2004
Brownfields Workshop

Program Highlights

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California Health and Safety
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and 58009

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Redevelopment Agency Process

The Department of Toxic Substances Control (DTSC) and the California Redevelopment Association (CRA) have jointly developed an Environmental Oversight Agreement (Agreement) to facilitate the environmental assessment, cleanup and re-use of brownfields sites by Redevelopment Agencies (RDAs) throughout California. This Program establishes a collaborative process that 1) provides flexibility to address the specific needs of redevelopment agencies; 2) ensures the investigation and cleanup are conducted in an environmentally sound manner and results in a property safe for redevelopment; and 3) provides liability relief for redevelopment agencies that complete the site characterization and cleanup process.

Some of the highlights of this program are:

- DTSC and the RDA jointly determine the scope of activities for a property or project and, to the extent feasible, utilize existing RDA processes.
- The cleanup process does not have to be consistent with the National Oil and Hazardous Substances Contingency Plan (the "National Contingency Plan", NCP).
- The RDAs are entitled to liability relief under the Polanco Redevelopment Act when site characterization and cleanup is completed.
- The Agreement may be used for an individual development project or for a series of development projects. Additional properties or projects can be easily added.
- The Agreement offers an option for Technical Consultation that allows DTSC to provide support to the RDA without identification of specific projects.

Any local redevelopment agency is eligible for this Program. Most properties within a Redevelopment Project Area are eligible. The main exclusions are if the property is listed as a Federal or State Superfund site, is a military facility, is under current DTSC enforcement, or is outside of DTSC's jurisdiction. Some properties that are subject to State and RCRA closure, post-closure and corrective action requirements may not be eligible. Properties under the current oversight of other state or local regulatory agencies may enter the program for specific services only with the overseeing agency's consent. For properties outside of a redevelopment project area, consultative services can be provided.

Under this Program, DTSC is committed to partnering with local redevelopment agencies and communities to restore contaminated properties to productive use, while ensuring that the cleanups are fully protective of public health and the environment.

Further information is available on DTSC's webpage:

- Fact Sheet: http://www.dtsc.ca.gov/SiteCleanup/Brownfields/SMBRP_FS_EOA.pdf
- Prototype Agreement: http://www.dtsc.ca.gov/SiteCleanup/Brownfields/SMBRP_MODEL_EOA_AGREEMENT.pdf